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Docket No.: 00-8024 RCE2

Amendment	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, facsimile no. 571-273-8300, on the date shown below.	
Dated: <u>7/12/06</u>	Signature: <u>Alisa M. Haggemo</u> (Alisa M. Haggemo)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Boris S. Elman et al.

Application No.: 09/932,202

Group Art Unit: 2614

Filed: August 17, 2001

Examiner: Olisa Anwah

For: AUTOMATED CONVERSATION
RECORDING DEVICE AND SERVICE

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR § 1.131

Sir:

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I, Boris S. Elman, declare as follows:

1. I, together with Jesse Hefter, are the inventors named on currently pending U.S. Patent Application Serial No. 09/932,202, which is directed to an Automated Conversation Recording Device and Service.

2. I, together with Jesse Hefter, conceived of the claimed invention in the United States prior to February 27, 2001. More specifically, we conceived of:

a. An apparatus for transmitting, receiving and recording two-way conversation data between at least two remote locations, comprising:

i. a memory coupled to the wireless communication device for storing two-way conversation data in digital form;

ii. a device interface for communicatively coupling the wireless communication device to a remote storage device and sending the stored two-way conversation data to the remote storage device;

iii. a user interface configured to allow a user of the wireless communication device to access, by way of a wireless network, the two-way conversation data stored in the remote storage device, the user interface including a plurality of data management functions that allows the user of the wireless communication device to manage, by way of the wireless network, the two-way conversation data stored in the remote storage device, the plurality of data management functions including functions for editing, translating, searching, linking, downloading, editing, playing back, converting, sending, archiving, and deleting the two-way conversation data stored in the remote storage device;

iv. a secondary device interface that couples the memory with a secondary device to allow transfer of the two-way conversation data from the memory to the secondary device, wherein the secondary device interface includes an attachment that physically connects the memory to the secondary device or is a

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wireless interface that allows data transfer between the memory and the secondary device;

v. wherein the memory is an on-board memory; and

vi. wherein the memory is removable from the wireless communication device so that the memory can be attached to a secondary device.

b. A system for managing two-way conversation data occurring between at least two remote locations over a network, comprising:

i. a wireless communication device;

ii. a memory coupled to the wireless communication device for storing two-way conversation data in digital format;

iii. a storage location outside the memory;

iv. an interface between the memory and the storage location for transferring the two-way conversation data from the memory to the storage location; and

v. a user interface that allows a user of the wireless communication device to access, by way of a wireless network, the two-way conversation data in the storage location, the user interface including a plurality of data management functions that allows the user of the wireless communication device to manage, by way of the wireless network, the two-way conversation data stored in the storage location, the plurality of data management functions including functions for editing, translating, searching, linking, downloading, editing, playing back, converting, sending, archiving, and deleting the two-way conversation data stored in the storage location;

vi. a secondary device interface that couples the memory with a secondary device having the storage location to allow transfer of the two-way conversation data from the memory to the secondary device, wherein the

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secondary device interface includes an attachment that physically connects the memory to the secondary device or a wireless interface that allows data transfer between the memory and the secondary device;

vii. wherein the interface is configured to download at least a portion of the two-way conversation data from the storage location to the memory;

viii. wherein the memory is an on-board memory;

ix. wherein the memory is removable from the wireless communication device so that the memory can be attached to a secondary device;

x. wherein the two-way conversation data is audio data, and wherein the converting function is conducted by an audio-to-text converter that converts the audio data to text data;

xi. wherein the translating function is conducted by a text translation service that converts at least a portion of the text data from a first language to a second language;

xii. wherein the two-way conversation data is audio data, and wherein the translating function is conducted by an audio translation service that translates at least a portion of the audio data from a first language to a second language; and

xiii. wherein the user interface is configured to output at least one of text data and audio data.

c. A system for managing two-way conversation data occurring between a first communication device located at a first location and a second communication device located at a second location remote from the first location, the two-way conversations occurring over a network having at least one storage location, wherein at least one wireless communication device can be connected to the network, comprising:

i. a data interface between the at least one wireless communication device and the at least one storage location for transferring data derived from the

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two-way conversations from the at least one storage location to the at least one wireless communication device; and

ii. a user interface, including at least one user-controllable data management function that allows a user of the at least one wireless communication device to access, by way of the network, the data in the at least one storage location, the user interface including a plurality of data management functions that allows the user of the at least one wireless communication device to manage, by way of the network, the data in the at least one storage location, the plurality of data management functions including functions for editing, translating, searching, linking, downloading, editing, playing back, converting, sending, archiving, and deleting the data stored in the at least one storage location;

iii. wherein the storage location is a computer system, and wherein the user interface allows the user to access the data in the computer system;

iv. wherein the computer system is divided into multiple user storage locations such that one of the user storage locations corresponds with an individual user;

v. wherein the data is audio data, and wherein the converting function is conducted by an audio-to-text converter that converts the audio data to text data;

vi. wherein the translating function is conducted by a text translation service that converts at least a portion of the text data from a first language to a second language;

vii. wherein the data is audio data, and wherein the translating function is conducted by an audio translation service that translates at least a portion of the audio data from a first language to a second language;

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viii. wherein the user interface is configured to output at least one of text data and audio data.

3. *Exhibit A*, enclosed herewith, is a copy of a text document that I, together with Jesse Hefter, prepared before February 27, 2001. *Exhibit A*, which describes a conversation recording and record keeping device and service, provides further evidence that we conceived of the claimed invention prior to February 27, 2001.

4. I, together with Jesse Hefter, worked toward reducing the claimed invention to practice from prior to February 27, 2001 until a filing of the present patent application with the U.S. Patent and Trademark Office by, *inter alia*, working with legal counsel for the original assignee of the present application in preparing and filing the patent application, including, at least, (1) reviewing and providing comments on several draft specifications for the patent application during that time period, (2) reviewing and providing comments on several draft sets of drawings for the patent application during that time period, (3) reviewing a final draft of the specification and a final draft of the drawings towards the end of that time period in anticipation of, and with the expectation of, executing formal papers for the filing of the patent application, and (4) executing those formal papers and returning them to the legal counsel towards, or at the end of that time period.

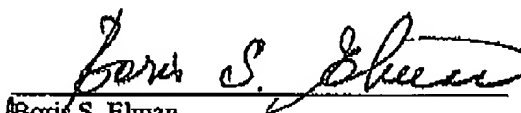
5. Upon information and belief, I understand the present assignee of the invention disclosure for which *Exhibit A* is an attachment, by submission of *Exhibit A* herewith, does not intend to waive its attorney-client privilege as to the entire invention disclosure record. To the extent that I also have such a privilege I do not waive the attorney-client privilege as to the entire invention disclosure record.

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I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

July 11, 2006
Date
Boris S. ElmanState of MA)County of Middlesex)Subscribed and sworn to me this 11 day of July, 2006.
Notary PublicEMMERSON PHILLIPS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
July 27, 2012

Attachment to invention disclosure "Automated Record Keeping Service"**By Boris S. Elman and Jesse Hefter**

Option I. Recording and temporary storage is performed by the wireless communication device.

Hardware and service definition:

- Wireless communication device capable of recording an ongoing conversation with on-board temporary (solid state) memory sufficient to store several average length conversations
- An optional attachment for the wireless communication devices. The attachment will be capable of retrieving the record(s) from the temporary memory of the wireless device, storing, and playing back the recorded communication, or/and
- Optional service provided by the wireless service provider that would allow to transmit the conversation recorded on the temporary memory of the wireless communication device and store it for an extended period of time. The service will also provide the capability for secure access/ downloading of the record(s) to various devices, including wireless and wire-line phones, to computers over the Internet, etc. Optional archiving capability can also be provided.

Option II. Recording and storage is done by the wireless service provider's operations support system.

Hardware and service definition:

- ARK service provided by the wireless service provider which will allow to record either selective or every conversation conducted from the wireless device which has the ARK service activated. At the end of the conversation the customer will have an option to save the most recent conversation for an extended period of time. The service will also provide the capability for secure access/ downloading of the record(s) to various devices, including wireless and wire-line phones, to computers over the Internet, etc. Optional archiving capability can also be provided.

BSE 7/28/2000

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